

LOUISIANA WILDLIFE AND FISHERIES COMMISSION

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P R O C E E D I N G S

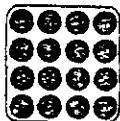
Tuesday, July 24, 1979

10:00 o'clock a.m.

DONALD F. WILLE,
Vice Chairman,
Presiding.

Wildlife and Fisheries
Building, Room 102
400 Royal Street
New Orleans, Louisiana

Kathryn G. Chamberlin,
Reporter.



Helen R. Dietrich, inc.
Stenotypists

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P R O C E E D I N G S

. . . Pursuant to notice, the regular monthly meeting of Louisiana Wildlife and Fisheries Commission convened at 10:00 o'clock a.m. on Tuesday, July 24, 1979, at the Wildlife and Fisheries Building, Room 102, 400 Royal Street, New Orleans, Louisiana, Donald F. Wille, Vice Chairman, presiding. . . .

PRESENT WERE:

DONALD F. WILLE, Vice Chairman

J. C. FARRELLY, Member

H. CLAY LUTTRELL, Member

CHARLES RIGGS, Member.

A G E N D A

1. Approval of minutes of June 24, 1979. (5)

DR. LYLE ST. AMANT

2. Request from Mississippi River Materials, (5)

Inc. for renewal of permit to remove sand material from the bottom of the Mississippi River in the vicinity of Mile 71.0 between Mile 70.26 and Mile 51.57, Plaquemines Parish, Louisiana.



3. Request from Louisiana Paving Co., Inc. for a (7)
permit to remove fill material from the
Mississippi River in the vicinity of
Mile 143.5 and 144.0 AHP.
4. Request from Atlas Construction Co. to remove (8)
fill material at Mile Post 1485, St.
James Parish, Louisiana.
5. Request from F & S Equipment Company, Inc. (9)
for renewal of permit to remove fill
material from the Mississippi River at
Mile Point 164.5 at Central, Louisiana.
6. Request from F & S Equipment Company, Inc. (11)
for renewal of permit to remove fill
material from the Mississippi River at
Mile Point 142.0 at Garyville, Louisiana.

MR. HARRY SCHAFER

7. Set opening date for Bay Junop and Hackberry (12)
Bay Oyster Seed Reservations and closure
of shell plants.

MR. ALLEN ENSMINGER

8. Setting of season dates, rule and regulations (26)
re alligator season.
9. Pipeline right-of-way across portion of (58)



Salvador Wildlife Management Area.

MR. JOE HERRING

- 10. Hunting regulations on Darbonne Area. (61)
- 11. Resolution Hunting and Fishing Day. (65)
- 12. Ratify seasons and bag limits on teal, doves, (70)
rails, woodcock, snipe and gallinules.

OTHER BUSINESS

- 13. Set date for August meeting. (85)

The following items not on the printed agenda were also considered:

Announcement by Mr. Schafer of further shell (25)
plants with disaster funds.

Request by Chairman for briefing re oyster (25)
lease moratorium.

Request for supplemental information to be (72)
included in informal agenda for Com-
mission meetings.

Adoption of resolution re conflicting alli- (74)
gator trade regulations.

Appeal on Bayou Dorcheat application. (85)

Adjournment. (87)



CHAIRMAN DONALD F. WILLE: Good morning, ladies and gentlemen. Welcome to the Louisiana Wildlife and Fisheries Commission meeting, July 24, 1979.

The first thing on the agenda is the approval of the minutes from the June 24 meeting.

MR. RIGGS: I move we approve the minutes, Mr. Chairman.

MR. FARRELLY: I will second that motion.

THE CHAIRMAN: Moved by Mr. Riggs and seconded by Mr. Farrelly. All in favor say aye.

IN UNISON: Aye.

THE CHAIRMAN: Any opposed?

(No response)

So ordered.

Dr. St. Amant.

DR. LYLE ST. AMANT: Good morning, Mr. Chairman, Members of the Commission, ladies and gentlemen. We have several items, all dealing with permits in the Mississippi River. A number of these are renewals and those which are not renewals are by companies who own a number of permits and what they are doing is moving to new



areas where they can supply the demand for fill material. I will take them one at a time.

The first request is by the Mississippi River Materials, Inc. for renewal of a permit to remove sand and fill material from the bottom of the Mississippi River in the vicinity of Mile 71 and 70.26 and Mile 51 in Plaquemines Parish. We have examined this and we find there has been no problem. I would recommend it be renewed for one year at the appropriate ten cents a yard royalty.

MR. LUTTRELL: I so move.

MR. RIGGS: Second.

THE CHAIRMAN: Moved by Mr. Luttrell, seconded by Mr. Riggs. All in favor say aye.

IN UNISON: Aye.

THE CHAIRMAN: Any opposed?

(No response)

Motion carries.

(The full text of the
resolution is here made
a part of the record.)

BE IT RESOLVED that the
Louisiana Wildlife and Fisheries



Commission does hereby grant permission to MISSISSIPPI RIVER MATERIALS, INC. to remove fill material from the Mississippi River in the vicinity of Mile 71.0 between Mile 70.26 and Mile 51.57, in Plaquemines Parish, Louisiana, for a period of one year from July 24, 1979 to July 24, 1980, at a royalty rate of ten cents per cubic yard.

DR. ST. AMANT: The next one is a request from Louisiana Paving Company for a permit to remove fill material from the Mississippi River in the vicinity of Mile 143.5 and 144.0. This is a company now operating, it is just moving up the river to another location. We would recommend the permit be issued for one year at the appropriate royalty.

THE CHAIRMAN: O. K., gentlemen.

MR. FARRELLY: I so move.

THE CHAIRMAN: Moved by Mr. Farrelly.

MR. LUTTRELL: Second.

THE CHAIRMAN: Seconded by Mr. Luttrell.

All in favor say aye,



IN UNISON: Aye.

THE CHAIRMAN: Any negative?

(No response)

Motion passed.

(The full text of the
resolution is here made
a part of the record.)

BE IT RESOLVED that the
Louisiana Wildlife and Fisheries Com-
mission does hereby grant permission
to LOUISIANA PAVING CO., INC. to
remove fill material from the Missis-
sippi River in the vicinity of Mile
143.5 and 144.0 AHP for a period of
one year from July 24, 1979 to July 24,
1980, at a royalty rate of ten cents
per cubic yard.

DR. ST. AMANT: The third item is a
request from Atlas Construction Company to remove
fill material at Milepost 148.5, St. James Parish,
Louisiana. We would recommend that this permit
be issued at ten cents a yard for one year.

THE CHAIRMAN: O. K., gentlemen.



MR. LUTTRELL: I so move.

MR. FARRELLY: Second.

THE CHAIRMAN: Moved by Mr. Luttrell,
seconded by Mr. Farrelly. All in favor say aye.

IN UNISON: Aye.

THE CHAIRMAN: Any negative votes?

(No response)

Motion passed.

(The full text of the
resolution is here made
a part of the record.)

BE IT RESOLVED that the
Louisiana Wildlife and Fisheries
Commission does hereby grant per-
mission to ATLAS CONSTRUCTION CO.,
INC. to remove fill material from
the Mississippi River at Mile 148.5
AHP, St. James Parish, Louisiana,
for a period of one year from
July 24, 1979 to July 24, 1980, at
a royalty rate of ten cents per
cubic yard.

DR. ST. AMANT: Item 5 is a request by



F & S Equipment Company, Inc. for renewal of their permit at Mile 164.5 at Central, Louisiana. This permit has been operated satisfactorily. I would recommend that it be renewed for one year at ten cents a yard.

THE CHAIRMAN: Do we have a motion?

MR. LUTTRELL: I so move.

THE CHAIRMAN: Moved by Mr. Luttrell.

MR. RIGGS: Second.

THE CHAIRMAN: Seconded by Mr. Riggs.

All in favor say aye.

IN UNISON: Aye.

THE CHAIRMAN: Any negative?

(No response)

The motion carries.

(The full text of the
resolution is here made
a part of the record.)

BE IT RESOLVED that the
Louisiana Wildlife and Fisheries
Commission does hereby grant per-
mission to F & S EQUIPMENT COMPANY,
INC. to remove fill material from



the Mississippi River at Mile Point
164.5 at Central, Louisiana, for a
period of one year from July 24, 1979
to July 24, 1980, at a royalty rate
of ten cents per cubic yard.

DR. ST. AMANT: The last one is also by
F & S Equipment Company for another permit that
they have at Milepost 142 at Garyville. I would
recommend that this permit be renewed for one year
at ten cents a yard.

MR. LUTTRELL: So move.

THE CHAIRMAN: Moved by Mr. Luttrell.

MR. RIGGS: Second.

THE CHAIRMAN: Seconded by Mr. Riggs.

All in favor say aye.

IN UNISON: Aye.

THE CHAIRMAN: Negative?

(No response)

Motion passed.

(The full text of the
resolution is here made
a part of the record.)

BE IT RESOLVED that the



Louisiana Wildlife and Fisheries Commission does hereby grant permission to F & S EQUIPMENT COMPANY, INC. to remove fill material from the Mississippi River at Mile Point 142.0 at Garyville, Louisiana, for a period of one year from July 24, 1979 to July 24, 1980, at a royalty rate of ten cents per cubic yard.

DR. ST. AMANT: That concludes the part that I have, Mr. Chairman. Thank you.

THE CHAIRMAN: Thank you, Doc. I appreciate it. Mr. Schafer.

MR. HARRY SCHAFFER: Mr. Chairman, we have really two items, and one of them is to close the shell plants. We planted some shells in Bay Gardene and in Black Bay and we are asking that the Black Bay shell plant be closed during the upcoming season because it takes about a year for these things to catch and get big enough for the oyster industry to start harvesting seed off those oysters. We are recommending that the Black Bay shell plant be closed during this coming season.



for oyster harvesting.

THE CHAIRMAN: Harry, you mentioned that that is part of the federal government money that was granted to us to seed because of damages.

MR. SCHAFFER: No, this was Coastal Energy Impact money from the oil industry. We got \$750,000 to plant shells. We planted about 75,000 cubic yards of shells in three places, in Sister Lake, Bay Gardene and in this Black Bay area.

THE CHAIRMAN: These are strictly going to be seed oysters?

MR. SCHAFFER: This will be for seed oysters. Two of them are reservations and one of them is in the seed grounds, so it will be for the oyster industry to harvest seed.

THE CHAIRMAN: Very good. Do we have a motion?

MR. RIGGS: I so move.

THE CHAIRMAN: Surely. Do you want some discussion on that, Captain? O. K. Let's hold the motion then to get some discussion on it.

MR. PETER VUJNOVICH: My name is Peter Vujnovich. I have been in the oyster industry for



the past 43 years. I class myself as among the best oyster farmers of this state. It is a fact that I had a lot to do with obtaining that \$750,000 and I would like to pass my thoughts on to you all before you vote on the resolution.

At the Louisiana Oyster Dealers and Growers Association I brought the subject up that we could obtain money from the Coastal Zone Management, from the oil companies, and everybody laughed at me in the industry. So, anyway, I took it on my own shoulders to be the chairman. I wrote a couple of letters to our Senator, Senator Johnston, and here is one of them, the reply.

(Reading) "Enclosed for your information is a copy of a letter I received from the Acting Assistant Administrator for Coastal Zone Management in response to my request in your behalf, concerning funds through the Coastal Energy Impact program to improve and increase the Louisiana oyster production.

"As I mentioned in my February 24 letter, you should get in touch with



officials in the Louisiana Department of Transportation and Development to discuss possible monies for your proposal.

"I would appreciate your keeping me apprised of developments and let me know if I can do something else to be helpful in the industry.

"With kindest regards and best wishes,

"Sincerely,

"J. Bennett Johnston."

This is the letter he sent me.

"Dear Senator Johnston"

"Thank you for informing me of the Louisiana Oyster Dealers and Growers Association interest in our Coastal Energy Impact program.

"The Coastal Impact program was specifically designed to respond to a wide range of environmental, social and economic problems resulting from coastal and outer Continental Shelf



energy production. In this context the regeneration of coastal oyster beds of Louisiana appears to be the kind of project eligible for funding.

"We will be happy to work with the Louisiana Oyster Dealers and Growers to clarify general eligibility for specific projects. However, your office was correct in directing the Oyster Association to the Louisiana Department of Transportation and Development which is responsible for allocation and administering CEIP funds within the state.

"Coordination will also be necessary with the State Wildlife and Fisheries Commission.

"Let me know if I can be of any further assistance to you.

"Sincerely,

"Robert Knecht,

"Acting Administrator,

"Coastal Zone Management."

Gentlemen and ladies, I brought these two



to our man who is in charge of the Louisiana oyster industry, Mr. Harry Schafer. He read this, he picked up the phone, he called Mr. Angelle. Mr. Angelle told him -- I don't know what he told him but, anyway, young Corky Perret had the job of doing all the paper work. Your biologist for the state, Ron Dugas, has done a very excellent job in proving the fact that we incurred many millions of dollars of damage to the Louisiana oyster industry by the oil companies. The money was granted, the shells were planted.

Now my suggestion to this is this. I worked hard, I gave my time, and I want to thank the Department of Wildlife who done it to get this money, I am asking this. I am an oyster man and there is a general tendency when we have shell plants such as these, that if the shell plants are in this area (indicating on map), the boats are fishing over here, and by hook or by crook, some kind of way accidentally the current carries these boats on top of these oyster shells where it was planted. As you all know, we can't afford to have that many enforcement men out there 24 hours



a day. So my suggestion to you all is this -- if we are to close that area that at least around we have nothing under a mile and a half, you know, area closed, not here (indicating) where the boundary line is but at least a mile away, so that if any boats drift in that area, they can't tell you that the current carried them.

That, gentlemen, is my knowledge, because I think this, that this is federal money granted to us. The Louisiana oyster industry is on the downgrade but with a little effort from the Louisiana men in the oyster industry and this department, and if the industry wants to help themselves, and the help we are getting from the federal government, God knows what we can accumulate in the next three or four years.

Thank you all, and that is what I would like, before you all vote, to let you know.

THE CHAIRMAN: Thank you, Captain. I appreciate that. Harry, if we were to change that and say a mile around it, are we going to be in anybody's lease grounds?

MR. SCHAFFER: No, this is on the state



seed grounds, so it could be done. The only problem, of course, is marking that mile from the shell plant. The shell plant itself is marked. It has signs on it. It has stakes all around it.

Pete has got a good suggestion. If this can be enforced some kind of way so that they stay a mile away from it, that is a real good suggestion. In fact, we even looked at the possibility of closing Black Bay altogether to keep them out of there completely, but there might be a few oysters in there, and oysters are going to be scarce and we would like to at least give them a try at it. We might come back here right after the season opens and see what they are doing out there and then ask you to close the whole Black Bay after they have a chance to fish out there.

THE CHAIRMAN: Is it going to be a big problem to mark it?

MR. SCHAFER: I think once we close Black Bay, we have got some good demarcations on Black Bay. Once we close that, I don't think there is any problem in enforcing it there.

MR. LUTTRELL: Harry, I like the sugges-



tion of the increased zone, even if it does create a problem of enforcement. I think we might gain by enlarging the zone, just by the knowledge, as there will be some that won't go in it at least.

THE CHAIRMAN: I think we have to do the utmost to protect our interest on that seeding. I think that the Commission should take the attitude that we have to protect that particular oyster bed and particularly at this time because of the fact that we have a very poor year, and in order to have a good year next year we are going to have to protect that bed.

MR. SCHAFER: That is right, and it might help out, too. We have a camp not too far from there and when they are patrolling, if they see somebody close to it, they can go over there and just chase them away, but if they are in the area, then they can write the citation, so it might be a good deal.

MR. LUTTRELL: Yes, if you don't have it included, then, of course, they can't warn them away. So I would like to move that we accept Harry's recommendation and amend it to include the



extra mile zone around the plant.

THE CHAIRMAN: O. K., can we come back and give the original motion, please?

MR. SCHAFER: O. K. It was recommended that the shell plants in Black Bay be closed and an area of one mile around the area would be closed.

MR. LUTTRELL: That's the amendment.

THE CHAIRMAN: The original motion was that the area in Black Bay be closed. We are going to amend that motion to read that an area one mile past the marking point is closed to any oyster fishing. Is that correct?

MR. LUTTRELL: O. K.

THE CHAIRMAN: O. K., who made the motion?

MR. RIGGS: I did.

THE CHAIRMAN: And you amended it?

MR. LUTTRELL: I did.

THE CHAIRMAN: Has anybody seconded it?

MR. FARRELLY: I will second it.

THE CHAIRMAN: Mr. Farrelly seconds the motion. All in favor say aye.

IN UNISON: Aye.

THE CHAIRMAN: Any opposed?



(No response)

THE CHAIRMAN: The motion carries and you seed area is closed, plus one mile.

(The full text of the resolution is here made a part of the record.)

WHEREAS, the "Public Oyster Seed Grounds" will open by law (RS 56:436) one-half hour before sunrise September 5, 1979; and

WHEREAS, the Department, utilizing Energy Impact Funds, has deposited clam shells on these "Public Oyster Seed Grounds" to provide surfaces for new oyster setting; and

WHEREAS, it takes generally one year for these shell plant areas to mature; and

WHEREAS, these area are properly marked and posted;

NOW THEREFORE BE IT RESOLVED that those areas upon which the shell was deposited this year (Black Bay)



and one mile around and adjacent to the shell plant will be closed for the harvesting of oysters for the 1979-80 oyster season.

MR. SCHAFER: The other areas that we would like to close are the Sister Lake Seed Reservation and the Bay Gardene Seed Reservation. Both these areas had plants in them, along with the Black Bay area, and also we do close these on an every-other-year basis, and it is their turn for them to be closed, so we are recommending that Bay Gardene and Sister Lake be closed and that Bay Junop be opened on September 5, which is the regular opening for the seed ground area, and that Hackberry Bay be opened on October 1. The reason we are asking for October 1 instead of September 5 on regular opening day is that there is plenty of marsh grass that was blown into Hackberry during Hurricane Bob and we think it might cause some mortality if they start moving those oysters with all this grass around.

THE CHAIRMAN: O. K. Do we have a motion?

MR. LUTTRELL: I move we accept the



recommendation.

THE CHAIRMAN: O. K. A second?

MR. RIGGS: Second.

THE CHAIRMAN: Moved by Mr. Luttrell,
seconded by Mr. Riggs. All in favor say aye.

IN UNISON: Aye.

THE CHAIRMAN: All right. Any no votes?

(No response)

The motion carries.

(The full text of the
resolution is here made
a part of the record.)

WHEREAS, the "Public Oyster
Seed Grounds" will open by law (RS 56:436)
one-half hour before sunrise September 5,
1979; and

WHEREAS, the Oyster Seed Reser-
vations are part of the "Public Oyster
Seed Grounds" and are utilized as a
reserve supply and are generally fished
on alternate years;

NOW THEREFORE BE IT RESOLVED
that the Bay Junop Oyster Seed Reservation



will be opened this season on September 5, 1979 and Hackberry Bay Oyster Seed Reservation will be opened October 1, 1979, because of the large amount of marsh grass present as a result of Hurricane Bob;

BE IT FURTHER RESOLVED that the Sister Lake Seed Reservation and Bay Gardene Seed Reservation will remain closed this season; and

BE IT FURTHER RESOLVED that the Secretary of the Department is given the authority to close the Reservations when biologically feasible.

MR. SCHAFER: Mr. Chairman, I would like to announce also that we are in the process of getting some more funds for shell plants and this is from the disaster and the fresh water from opening the Bonnet Carre Spillway. We expect to get a million dollars and we will be planting some shells as soon as we can possibly a contract through.



THE CHAIRMAN: Fine, Harry, I appreciate that. Harry, I would like to direct you at the next meeting, if you can, to gather all your information on what has been done on the survey since we declared the moratorium. I would like to know what progress we have made, where we stand on it. Can you do that by the next meeting?

MR. SCHAFFER: Yes, I can have that for you.

THE CHAIRMAN: O. K., I would appreciate it, even if it is just in the informal meeting. It doesn't matter. I just want to get a briefing on it and see how we stand.

MR. SCHAFFER: Right. It doesn't look too good.

THE CHAIRMAN: That is what I am afraid of and I think that we need to take a little review on the thing.

All right, Allen, good old Allen.

MR. ALLEN ENSMINGER: It looks like I have really got a good one for you today. I am kind of glad that Doyle Berry is not here to accuse me of being one of those damned Washington bureau-



crats when you look at these alligator regulations that we are asking you to take a look at today.

THE CHAIRMAN: Allen, I reviewed these things last night, looked them over real carefully, and I think that Berry is probably spinning in Colorado!

MR. ENSMINGER: You didn't by any chance call him and read him those on the phone?

THE CHAIRMAN: No, I didn't because I didn't want to upset him.

MR. ENSMINGER: It would bankrupt the Department to pay for the phone bill!

To bring you gentlemen of the Commission and the press up to date, I think most of the other people here in the room are very aware of the situation that has surrounded the American alligator in Louisiana since the 1950s, but a brief review might be in line in view of the fact that we are proposing to expand the alligator season all the way across our coast.

In the late 1950s we determined from field surveys and just general guesstimations that our alligator population was severely depleted at



that time. We suspected that the alligator population was somewhere in the vicinity of 50,000 animals across the coast. Many good alligator habitats were not supporting populations of 'gators at that time. This was at the end of the very extensive geophysical surveys that had been conducted through these Louisiana marshes in search of minerals, and much of that survey work was done by marsh buggies which checkerboarded these marshes in intervals of a quarter of a mile or so and most of those marsh buggy drivers were familiar with alligator hunting. They were from families that had made a portion or a substantial part of their livelihood as children from alligator hunting, so it was a natural for these buggy drivers, when they found an alligator nest or a hole in the marsh or a trail of a male 'gator, to pursue that thing and pole those alligators out of the hole in the summer months and kill them and turn them into cash income from the sale of the hides.

This put a severe stress on the breeding population of the American alligator because they were harvesting productive females in this method.



The Parish of Cameron in 1962 requested that the Department close the hunting season on alligators in Cameron Parish and the Department did, and then closed the entire state in 1963. Since that time we have had phenomenal recovery of the alligator population as a result of very vigorous law enforcement efforts on the Department's part, good prosecution by the courts across the coast, and then of course eventually the amendment to the Lacey Act which made it a federal offense to transport illegally taken alligator skins in interstate trade.

In addition to these laws that were passed at the state and federal levels, the Endangered Species Act came into play in December of 1973. In addition to the Endangered Species Act an international conference was held in Washington in March of 1973 and the International Trade Convention Treaty on the Endangered Species was passed. The United States eventually ratified that treaty and this prohibited the international movement of alligator skins in commercial trade.

This virtually put a halt to the alligator



management program across the United States. We have persevered with all the bureaucratic red tape and objections from the Washington level and alligators have been protected in spite of the unpopular programs here in Louisiana and in Florida, where they have had a number of people killed by alligators in human conflict.

But, as I say, we have persevered in this thing. We have carried on our research program and we have had good cooperation from the landowners in protecting alligators in spite of the fact that they were suffering substantial losses to fur-producing animals and what-have-you.

We had an alligator season in 1975, following the passage of the Endangered Species Act, and again in '76 and '77. The prices paid for the alligator in the American market are substantially less than the international value of these reptilian skins, so we have been working very diligently -- John Breaux, the Congressman from Southwest Louisiana has been very much involved in trying to open up the international trade of alligators. Ted Joanen, Greg Linscomb and



myself attended the International Conference in Costa Rica this year and John Breaux and several members of his subcommittee and staff personnel were at Costa Rica and worked very vigorously and were successful in having the alligator moved to Appendix II of the International Trade Convention Treaty.

When we returned home, we thought that we would be able to move forward with offering these skins for sale with an orderly export permit to be issued by the U. S. Fish & Wildlife Service permit office and enter these things into a competitive atmosphere where the trappers and land-owners would realize the maximum benefit from the resource. We were astounded when we found out that the Endangered Species Scientific Authority, which is a group of people that were created by executive order, decided and took it upon themselves, and we feel like illegally, to propose regulations to prohibit the shipment of skins to any country who had not signed the International Trade Convention Treaty.

In essence what that would mean would be



that the reptile countries such as France, Spain, Italy, West Germany, Japan, would be prohibited from buying American alligator skins because of the fact that they have not signed the treaty without reservations and do carry on trade in animals that are on Appendix I and Appendix II of this international list.

John Breaux obviously became unglued when he found out what had happened, and it became a very obvious ploy on the part of ESSA to circumvent the treaty. Hearings were called by Mr. Breaux's subcommittee in Washington and Mr. Angelle and Ted Joanen and I attended those hearings. In addition to that hearing, a hearing was held on July 10 in ESSA's office to receive public comments. I attended that meeting and made statements in behalf of the Department that paralleled the statements made by Mr. Angelle at the Breaux hearings, which virtually said that the proposals were totally unacceptable to Louisiana's alligator management program. We have protected the animals, we have provided extensive research programs, and we felt that we had done all that we possibly could



do to bring forth a resource from the very depleted levels of the 1950s to overpopulation and to the point where they were a nuisance in our coastal marshes, and that we expected some kind of cooperation out of the U. S. Fish & Wildlife Service and the ESSA office.

It was revealed at the Breaux hearing that the U. S. Fish & Wildlife Service had prepared and had gone to the Federal Register with a set of regulations that are almost diametrically opposed to the ESSA regulations. This was quite shocking to us, especially following the fact that this hearing was held the night after the President's speech and he made such an issue out of the fact that the American people didn't have any confidence in the people in Washington, and we thought it was very appropriate that the President was not only having trouble with his oil program but he was having a hell of a time with his alligator program in Louisiana. Certainly we felt very disappointed that the U. S. Fish & Wildlife Service held this thing as a more or less secret to the public and revealed it at the hearing. I think it kind of



backfired on them. They were very severely chastized by the chairman of the subcommittee and I thought the Congressman from Alaska was going to have a heart attack sitting there in the hearing room.

Anyway, we feel that the proposal put forth by the U. S. Fish & Wildlife Service will be accepted by ESSA. It would permit an export of American alligator skins to any nation in the world as long as the importer of that nation agreed to certain terms and conditions of the permit.

This leaves a very gray area and one which we are quite skeptical about. We suspect that if the U. S. Fish & Wildlife Service management agency decided to impose a requirement in there that a man couldn't import American alligators if he continues to buy crocodile skins, that we would be back in the same situation we were before we went to Costa Rica. But at least this would give us an opportunity to get it into a group of people where we can bring some common sense to them and put a little political pressure on them through the Congressional delegation in the way of funding



of the Endangered Species Act if we are not able to export skins.

As you are aware, we had a public hearing in Morgan City a few weeks ago in which the U. S. Fish & Wildlife Service solicited the input from anyone that was interested to comment on the delisting of nine additional parishes in Louisiana. All of the people that spoke at that hearing -- there were about 200 people in attendance -- all were in favor of delisting of the American alligator.

Dave Hall, an employee of the U. S. Fish & Wildlife Service, was almost prohibited from speaking and expressing his opposition at that hearing, and after quite a bit of maneuvering, the chairman of the hearing had to call Dave Hall to the microphone. I see him in the room today. I hope you all will offer him an opportunity to speak at this meeting without having to be forced into asking him to come forward.

Anyway, the Fish & Wildlife Service has run final rulemaking. The nine additional parishes will be delisted, effective the 27th of



July, so this puts us in a position of being able to establish an alligator season in 12 of our coastal parishes, the nine additional delisted areas and the three old parishes of Cameron, Calcasieu and Vermilion.

Our technicians have reviewed the alligator surveys of this year, our marsh habitat surveys have been completed, and we have come forth with a recommendation here to you gentlemen here today that would involve about 18,000 alligator skins if everybody that has properties located in these parishes takes advantage of the program.

Now, of course, we want it clearly understood that the Department of Wildlife and Fisheries does not have the capability nor the responsibility, I guess, of trying to create an American or an international market for these skins. Our total responsibility is to manage the resource. We feel like we have brought the thing to this point. The trappers need some relief. The camp owners up and down this coast I think have been extremely tolerant. They have got to the point where they are not going to tolerate alligators hanging around their



docks and interfering with their recreational activity as well as their trapping programs, and unless we give them some kind of relief in the form of a legal alligator season, they are going to take this situation in hand themselves and waste a lot of very valuable resource.

Now our legislature a couple of years ago passed a bill that permits us the mechanism and wherewithal to handle the sale of alligator meat and parts of an alligator. Surprisingly to some people, the byproducts of an alligator may be almost as valuable as the skin itself, so we feel like that we have set the stage whereby meat can be harvested by the trapper, offered for sale. There is some market for the heads in the curio business. There is some scientific interest in hearts as well as the heads. So, certainly if trappers are willing to take the extra time and effort to get out and hustle up these markets, I think that they are available and would give them some additional income.

So, with this we have prepared our recommendations to you, centered totally around the



programs that we have carried out in Cameron, Calcasieu and Vermilion, and we feel like that these are the minimum by which you gentlemen sitting here making policy can legally go forward and say we have done everything we can to manage the alligator and to safeguard the resource, and if the trappers and hunters in Louisiana and the landowners want to move forward with a program and they follow this thing, we will have a defensible position in the eyes of the public and certainly be able to offer these skins for sale and hopefully we will have some real good income from these 18,000 or so skins that we expect to harvest.

THE CHAIRMAN: Allen, thank you very much. I appreciate your presentation. I think rather than read through the regulations that we furnish the press with a copy and give the lady a copy to enter into the minutes of the meeting.

Is there any recommendation from any of the Commission members on changes to these regulations?

O. K., then I need a motion.

MR. LUTTRELL: Mr. Chairman, I move that



we accept these regulations but I would like to make a statement, too, before we vote.

Allen, following that meeting at Hackberry, there was about a five-hour meeting between the U. S. Fish & Wildlife Service and the Department of the Interior with Mr. Berry and Mr. Wille and myself and others attended, in which a discussion was carried on on a one-to-one basis, and some very graphic points and some very graphic reasoning came out. I believe that this meeting that followed, the public meeting, had a tremendous amount to do with what happened in Washington later.

MR. ENSMINGER: Well, that is probably right, Mr. Luttrell, and certainly as I mentioned, Dave Hall is here in the audience today and I think it probably would be very appropriate for you to ask him for comments.

MR. LUTTRELL: I would certainly be interested.

THE CHAIRMAN: Dave, would you like to make a comment before we put this into a motion?

MR. ENSMINGER: While Dave is on his way



up here, I would also like to point out to you gentlemen who may not know Roger Vincent, Roger is the land manager for Miami Corporation lands, who own extensive marshlands along the coast, about 159,000 acres in Cameron and large acreages in St. Mary and Iberia Parish, so certainly Roger is very much involved in this alligator season and may have some comment he may want to make.

MR. DAVID HALL: Thank you, Allen. I think all of you gentlemen know that we have had a very good cooperative program down here, even though there has been considerable difficulty at the Washington level.

I have read these regulations and I don't think there will be any problem at all for us to continue our state-federal law enforcement effort and I don't think we will find any great problems.

I would like also to congratulate this Commission, especially Allen and Ted Joanen, for their professional way that they have conducted this almost-war at times to bring the alligator back under management where harvest is allowed. I will be the first to admit to you it has been



sort of difficult for me, too, because in the last two weeks I have personally investigated eight alligator killings that were done just for the sake of getting rid of an alligator. There was no meat, no skin saved, or anything. In other words, people, like Allen said, are to the point that they are not going to let their pets and their property be damaged. We need an alligator season, and there will be problems, there will be probably a few people try without tags to infiltrate the market, but I am certain that with our law enforcement capability we can get rid of these people.

That is about all I have got to say. I totally endorse Mr. Ensminger and Mr. Joanen and this Commission in their pursuit of getting this alligator season.

THE CHAIRMAN: Thank you, Dave.

MR. LUTTRELL: Dave, I would like to say this, that the State of Louisiana is very lucky and very fortunate to have a man of your ability and forthrightness working here with us.

THE CHAIRMAN: Thank you, Dave. We appreciate all you have done and we know that you



work very closely with our people and we do appreciate that. You have been one of the finest federal people that we have had down here in a long time. We do appreciate it.

Roger.

MR. ROGER VINCENT: Mr. Chairman, Roger Vincent representing Miami Corporation. I would like to go on record here that Miami very much favors having an alligator harvest this year after an absence of last year, meaning we have a two-year crop here. As a landowner and a land manager, we feel that the harvest is essential. However, we are very much concerned over what type market we will have.

I know Ted and other agencies are working real hard to get the alligator into international trade without restriction, and that is what we need to get a good price.

Thank you very much.

THE CHAIRMAN: Thank you, Roger. I think you are absolutely correct. I think that the marketing end is going to be the key to the whole situation. We still have to harvest them, though,



if we have to store the darned things, because we are going to have some problems if we don't.

Allen, we can go ahead and make a motion on this thing?

MR. ENSMINGER: I would recommend that you go ahead and adopt these regulations.

MR. LUTTRELL: I have moved.

THE CHAIRMAN: Mr. Clay made the motion.

MR. FARRELLY: Second.

THE CHAIRMAN: Mr. Farrelly seconds the motion. All in favor say aye.

IN UNISON: Aye.

THE CHAIRMAN: Any opposed?

(No response)

The motion passed by unanimous decision, Allen.

MR. ENSMINGER: I might mention one additional thing here. I forgot to mention in here the recommended date for the season would be September 7 through October 7 of 1979 and that should be injected into the minutes.

(The full text of the
resolution is here made



a part of the record.)

WHEREAS, the Louisiana Wildlife and Fisheries Commission has been actively involved in the restoration of the alligator population in Louisiana, and

WHEREAS, this effort has resulted in the reestablishment of large populations of alligators in suitable habitat throughout the state, and

WHEREAS, the U. S. Fish and Wildlife Service has delisted to "threatened similarity of appearance" the American alligator in the following parishes: Cameron, Calcasieu, Vermilion, Iberia, St. Mary, Terrebonne, Lafourche, St. Charles, Jefferson, Plaquemines, St. Bernard and St. Tammany;

NOW THEREFORE BE IT RESOLVED that the Louisiana Wildlife and Fisheries Commission does hereby adopt



the following regulations governing the 1979 alligator season to extend from September 7 through October 7, in the following parishes: Cameron, Calcasieu, Vermilion, Iberia, St. Mary, Terrebonne, Lafourche, St. Charles, Jefferson, Plaquemines, St. Bernard and St. Tammany.

BE IT FURTHER RESOLVED that the attached detailed regulations are made a part of this resolution.

(The aforementioned regulations follow.)

ALLIGATOR REGULATIONS ADOPTED BY THE LOUISIANA WILDLIFE AND FISHERIES COMMISSION AT ITS REGULAR MEETING HELD IN NEW ORLEANS, LOUISIANA, ON THIS DATE, TUESDAY, JULY 24, 1979.

The Louisiana Department of Wildlife and Fisheries recommends that an alligator season be hereby established in accordance with the following regulations: No exceptions of these procedures will be permitted, and anyone taking alligators contrary to these



regulations will be charged in accordance with the Louisiana Revised Statutes and/or Endangered Species Act of 1973:

1. Open area: Parishes of Cameron, Calcasieu Vermilion, Iberia, St. Mary, Terrebonne Lafourche, St. Charles, Jefferson, Plaquemines, St. Bernard and St. Tammany. Coastal marshes and swamp areas including converted marshland. Over 300,000 alligators are present in this area outside of refuges.
2. Harvest season: The open season shall run for a 31-day period beginning on September 7, 1979, and continue through October 7, 1979. Size: No alligators under four feet in length may be taken.
3. Harvest methods: Alligators may be taken only during daylight hours, between one-half hour before official sunrise to one-half hour after sunset. Special instructions will be issued to the holders of alligator hunter licenses shortly before the opening of the season



describing detailed methods regarding the skinning of alligators. Skins processed contrary to the specific requirements of the Department will be considered illegal and will be confiscated by Department personnel. Pole hunting is prohibited to protect the nesting female population.

4. Licenses: An alligator hunter must have a valid commercial alligator to take, transport or sell alligators or their skins. The fee for the resident license is \$25.00 per year and for the non-resident \$150.00. These licenses are non-transferable. In order to obtain a resident license, the hunter must have resided in Louisiana for one year preceding the season. He must complete application forms provided by the Department and furnish proof that he owns the land or has an agreement with the landowner to hunt alligators on the specified property. Information as to the location and acreage of the property



must be provided. Applications must be submitted beginning August 1, 1979.

The alligator hunter license will be issued only after the hunter has satisfactorily complied with the above requirements.

Non-resident hunters must coordinate their hunt through landowners and licensed resident hunters. A fur buyer license or fur dealer license is required for purchasing and handling raw alligator skins in Louisiana. An alligator parts dealers license is required of anyone purchasing alligator parts (other than hides) for resale, manufacturing, processing and distribution; excluding retailers and restaurants. Persons or firms entering alligators in interstate-foreign commerce in the course of a commercial activity must be licensed in accordance with state and federal regulations.

5. Tagging: In addition to a valid commercial



alligator hunting license, the hunter must also obtain from the Department, and have in his possession while hunting, official tags which must be firmly attached to each alligator skin immediately upon taking. Numbered tags will be issued to license holders for a sum of \$5.00.

The tags must be attached in the last six inches of the tail. The tag must remain attached to the skin until finally processed by the fabricator. It shall be illegal to possess alligator skins in Louisiana without valid official tags attached. Official alligator tags will be issued only to alligator hunters, and farmers, and only to those who have authorized applications.

The number of tags will be issued on the basis of the area and quality of the habitat, and the rate per acre will be fixed based on extensive population estimates. Tags will be issued for



alligator habitat only, based on final decision of the technician. No more than this fixed number of tags will be issued. Each official tag will bear a characteristic number and a duplicate tab, and the tag numbers issued to each hunter will be recorded. Unused tags must be returned to the Department. Lost or stolen tags will not be replaced but must be reported. Tags can be used only on the lands applied for and approved on the application. Tags furnished by the Louisiana Department of Wildlife and Fisheries must be attached to all alligator meat/parts upon transfer by a hunter or farmer.

6. Alligator Farmers and Breeders: Licensed alligator farmers or breeders will be issued permits to kill and skin their alligators but must follow the same rules and regulations which apply to wild alligators.
7. Harvest Rates: Tags will be issued on



the following basis, with the exception of alligator farmers, breeders and the nuisance complaint program.

Parish	Tag Allotment/Marsh Type		
	Brackish	Intermediate	Fresh
Cameron Calcasieu St. Tammany	1:200	1:75	1:75
Vermilion	1:75	1:75	1:225
Iberia St. Mary	1:200	1:75	1:125
Terrebonne	1:150	1:75	1:125
Lafourche	1:200	1:150	1:100
Jefferson St. Charles Plaquemines St. Bernard	1:275	1:250	1:200
Dewatered marsh	1:400		
Inland swamp	1:300		

8. Sale of Alligator Skins: All alligator skins taken during the alligator season shall be checked and the stub tab clipped by personnel of the Louisiana Department of Wildlife



and Fisheries prior to the hides leaving the state. Special skinning instructions will be verified, and any skins not prepared according to instructions issued in advance of season will be considered illegal. Unused tags will be returned to the Department personnel no later than 15 days after the close of the season. Buyers/dealers must abide by special skinning instructions or be subject to forfeiture of improperly skinned hides.

9. Buyer/Dealer Hide Records: All buyers and dealers making purchases of alligator hides shall maintain a complete set of records of all purchases and sales on forms furnished by the Department. Such records will include names and addresses of buyers and/or sellers, alligator hide tag number, date and length. Dealers will submit records prior to shipping out-of-state and no later than 15 days following the close of the season.



10. Shipment: All raw alligator skins shipped out-of-state must bear official shipping tags provided by the Department. Forms provided must be filled out completely and returned to the Department within 15 days following the close of the season.

11. Sales of Meat and Parts: Meat and other parts from lawfully taken alligators can only be sold within the State of Louisiana. Anyone purchasing alligator parts for resale, manufacturing, processing and distribution; excluding retailers and restaurants, shall purchase an alligator parts dealers license from the Department for \$50.00. Alligator hunters, farmers, and parts dealers shall maintain records of all transactions, purchases and sales on forms provided by the Department. These forms shall be submitted to the Department within 30 days following the close of the season and thereafter at 60-day intervals until all parts



are sold. All alligator meat and parts, excluding hides, shall be tagged with an official alligator parts tab (Color: Blue) to be furnished by the Department. Hunters, farmers and dealers shall furnish a bill of sale to all retailers and restaurants purchasing alligator parts. This bill of sale shall be maintained for a period of six months.

An alligator nuisance removal program will be incorporated into the harvest season within the parishes open for alligator hunting. This program will allow the taking of problem alligators within the confines of municipal, ward or parish responsibility where there are alligator-people conflicts. Alligators taken under this program must be taken in accordance with state regulations and local regulations/ordinances. This nuisance removal program depends upon close cooperation of state, parish and local authorities.



Tags will be issued to a local governing body and hunters will be selected by them. The number of tags issued will be based on the number of complaints received. The Commission is hopeful this program will lessen the threat to people and property by reducing human/alligator contact.

The administrative responsibility for conducting this season shall rest with J. Burton Angelle, Secretary of the Louisiana Department of Wildlife and Fisheries.

MR. ENSMINGER: An additional comment I want to put forth and feel you gentlemen out on is the possibility of us having a public information hearing type thing in a central point, possibly Houma, next Tuesday.

I have talked to the Mayor's Office in Houma and they do have the auditorium available. I suspect that we will have a lot of questions that will come up in the minds of individuals who are either interested in killing alligators as a



trapper or as a landowner and manager, so possibly this would be an excellent forum by which our Department personnel who will be involved in this thing, the enforcement agents and our technical people, could meet, stand up there, let people throw bricks at us and what-have-you, show them our alligator film, and tell them the reasons for all of these expansive regulations that we are imposing on their harvest out there, and it might answer a lot of questions that otherwise would be left as an unknown thing.

Certainly the people in Cameron, Calcasieu and Vermilion are not concerned about this. They know exactly how the program goes. They know where to put the tag on the alligator and how to skin him and what-have-you, but these people in these nine additional parishes, it is a brand new thing. Many of these alligator hunters have died and passed on and these are children and grandchildren that will be involved in the alligator harvest, and most of them never skinned an alligator in their life.

So, if you all feel like it would be



advantageous, we will proceed with this, and certainly if any of you Board members want to come, I am sure the trappers would like to look at you, see who you are and cuss you or whatever you might want to say.

MR. FARRELLY: I was just going to ask, do you think this is enough notice? That would be what, a week?

MR. ENSMINGER: It will be about a week and I think with the news media that we can pretty well reach the people that are interested in this thing, Jim. The local radio stations and TV media and certainly the newspapers are very involved in it and very interested and have been very cooperative in running our news releases and what-have-you.

THE CHAIRMAN: Have you made the arrangements for a place?

MR. ENSMINGER: We have tentatively talked to the Mayor's Office and they have informed us that the auditorium could be made available to us on Tuesday, the 31st, at 10:00 a.m. in Houma. It is a nice auditorium, it is easy to find, has



excellent parking and would seat about 1,000 people.

THE CHAIRMAN: We had one meeting there. O. K. You would like to have some Commission members there for the meeting?

MR. ENSMINGER: If you all can come, I certainly think it would be worth your time.

THE CHAIRMAN: O. K., I will authorize any of the Commission members that want to attend this thing to go ahead and attend it, and we will authorize the meeting. Just go ahead and proceed with your notification and the publicity.

MR. ENSMINGER: O. K., and as soon as we get it together, we will make it available to the news media and give them a news release on it.

THE CHAIRMAN: O. K., fine. You have one other item, I think.

MR. ENSMINGER: Yes, the other item I have for your consideration is a request we have received from Shell Pipeline Corporation for the installation of a 24-inch crude oil line across the western edge of our Salvador Wildlife Management Area in St. Charles Parish.



This is a line that will connect with the Cloverly Dome system, a part of the LOOP program, proceed north from the Cloverly Dome across Lake Salvador, across our area, and up to the Mississippi River, cross the river and proceed on into the Norco Refinery that Shell has upriver. It would also be used as a distributory line for any additional refinery or crude oil uses that might arise along the Mississippi River system.

We have been in contact with Shell's environmental section of their department since the inception of the proposal, about three months. They have run a tentative field survey and selected the site across there. They have incorporated in their request to us the various features that we have pointed out in the form of safeguarding the environment and doing the least amount of damage to our game management area.

The line will be installed in a push ditch about the size of your table here, dug to a depth of about six feet, to where they would have three feet of cover over the pipeline. Necessary erosion control features would be installed



on the shoreline of Lake Salvador and on each of the crossings of the canals and waterways in the game management area.

The pipeline will be backfilled to the extent of the material excavated from the ditch after they have got the installation and it would be a 30-foot right-of-way with an additional working space of 70 feet during the installation.

We have had this type of pipelines on some of our other refuges and game management areas and have not had adverse problems with them. They are offering us a fee of \$35 a rod, which would come out to about \$82,000 for the right-of-way. With the safeguards incorporated in the permit, I would recommend that you grant the right-of-way to Shell for the installation of this pipeline.

THE CHAIRMAN: O. K., we have a recommendation.

MR. FARRELLY: I will make a motion that we accept the recommendation.

MR. LUTTRELL: I second the motion.

THE CHAIRMAN: The motion has been



made by Mr. Farrelly, seconded by Mr. Luttrell.
All in favor say aye.

IN UNISON: Aye.

THE CHAIRMAN: Any opposed?

(No response)

The motion carries.

Thank you very much, Allen. We always appreciate very much seeing you up here. Now we have Mr. Joe Herring.

MR. JOE HERRING: Thank you, Mr. Chairman. It is going to be kind of hard to follow that alligator program Allen put on, especially since he wore his alligator tie at the same time there today.

The first item we have on the agenda today pertains to the D'Arbonne National Wildlife Refuge that has been established up on the D'Arbonne Bayou. The D'Arbonne Bayou splits this area in half and we have jurisdiction over D'Arbonne Bayou while the Fish & Wildlife Service has jurisdiction over the land. We have worked very closely with those people on establishing their hunting seasons and they are much similar



to the ones we have on our wildlife management areas and they are real liberal.. We have had real good cooperation. I think our people out of the Monroe office and the people of the Fish & Wildlife Service up there work real good together in establishing it.

What I would like to ask the Commission is that on the D'Arbonne Bayou, where it runs through the D'Arbonne Refuge there, National Wildlife Refuge, that the seasons be the same. This would help our enforcement people and their enforcement people both to control the seasons up there and we would have one season on it for deer and raccoon, squirrel and rabbits and other species that they have.

I would recommend to the Commission that we do this.

THE CHAIRMAN: Gentlemen, do we have a motion on the floor?

MR. FARRELLY: Yes, I will make that motion, that the recommendation be accepted.

THE CHAIRMAN: We have a motion by Mr. Farrelly to accept the recommendation.



MR. RIGGS: Second.

THE CHAIRMAN: Seconded by Mr. Riggs.

All in favor say aye.

IN UNISON: Aye.

THE CHAIRMAN: Any opposed?

(No response)

Motion carried.

(The full text of the
resolution is here made
a part of the record.)

WHEREAS, the D'Arbonne
National Wildlife Refuge was estab-
lished for the purpose of preserving,
protecting and wisely managing the
wildlife resources occurring on these
lands, and

WHEREAS, the management of
these wildlife resources is largely
dependent on the ability to regulate
and control the use of said resources
on such refuges, and

WHEREAS, the channel of
Bayou D'Arbonne which flows through



the Refuge is considered to be a navigable stream and therefore owned by the State of Louisiana, and

WHEREAS, existing federal regulations do not have jurisdiction over Bayou D'Arbonne, and

WHEREAS, the current wildlife management program will be seriously hampered by the lack of enforcement jurisdiction on Bayou D'Arbonne,

NOW THEREFORE BE IT RESOLVED that the Louisiana Wildlife and Fisheries Commission hereby establishes the following rules and regulations for that portion of Bayou D'Arbonne that traverses the D'Arbonne National Wildlife Refuge:

Hunting seasons, including the use and transportation of firearms, will be the same as those currently in effect on D'Arbonne National Wildlife Refuge.



THE CHAIRMAN: Go ahead, Joe.

MR. HERRING: Mr. Chairman, the second item is a resolution pertaining to National Hunting and Fishing Day, which will be September 22, 1979, and a proclamation pertaining to this has been prepared by the Governor. It is more or less in recognition of the sportsmen of our state and also the sportsmen of the nation and the things that they have done for wildlife management and conservation.

We must say that the sportsmen were probably the first people to ever start establishing good conservation, preservation or wildlife management programs. We have a lot of other organizations that are always opposing and not doing much, like the Defenders of Wildlife, Friends of Animals and many of those. They are always in opposition, but these people have put up billions of dollars in the past few year for management of wildlife resources in the state and water resources, and this is a day that more or less they can be recognized.

Many of the clubs throughout the state



give special programs that day for the general public. A lot of the news media participate in it and it is a real good day that people do get out and recognize them.

The sportsmen have also been the ones to put regulations on themselves, seasons and bag limits. They have been taxed with an arms and ammunition tax, also the fishing tackle that we buy, and this all comes back into the state. In fact, a lot of people don't realize that every gun that you buy has an 11 percent excise tax on it, which comes back into our wildlife management program here in our state to help operate our wildlife management areas and these things. Also, all the fishing tackle that you buy has a 10 percent excise tax, and this comes back into our state for our fish and game program, to help operate them. In fact, if we didn't have those, we would certainly be hurting for money.

So, I would recommend to the Commission then that we go ahead and pass a resolution, making September 22 National Hunting and Fishing Day.

THE CHAIRMAN: Gentlemen, you have a



recommendation.

MR. LUTTRELL: I so move.

MR. RIGGS: Second.

THE CHAIRMAN: Moved by Mr. Luttrell,
seconded by Mr. Riggs. All in favor say aye.

IN UNISON: Aye.

THE CHAIRMAN: Any opposed?

(No response)

Motion carried.

(The full text of the
resolution is here made
a part of the record.)

WHEREAS, because of the outstanding contributions that America's hunters and fishermen have made to conservation, recreation and the economy, they are deserving of special recognition, and

WHEREAS, since the turn of the century, hunters and anglers have been the leaders in nearly all major conservation programs. These sportsmen-conservationists are responsible for the founding



of state fish and game departments in all fifty states. They asked that they, themselves, be required to buy licenses and that the money collected be used to support state conservation agencies. In the last fifty years alone, these sportsmen have provided \$2.5 billion for conservation purposes; and

WHEREAS, hunters and fishermen asked for the establishment of regulation seasons and bag limits so that sportsmen could harvest the annual crop of game and fish without damage to the basic breeding population. The result has been that there are now more deer, elk, antelope and wild turkey in the United States than there were fifty years ago. Further, sportsmen's programs have benefited numerous species of non-game fish and wildlife through habitat development, and

WHEREAS, hunters and fishermen,



unique in all America, asked that their fishing and hunting equipment be taxed and that the money be used for land acquisition, research and habitat management for fish and wildlife for the enjoyment of all Americans; and

WHEREAS, through their publications and organizations such as the National Wildlife Federation, Ducks Unlimited, Izaak Walton League of America and many others, hunters and fishermen have led the nation in the battle for a better environment and the wise use of our natural resources;

NOW THEREFORE BE IT RESOLVED that the Louisiana Wildlife and Fisheries Commission hereby proclaim September 22, 1979 as Louisiana Hunting and Fishing Day and that this day be an annual observance the fourth Saturday of each September. The Commission urges all of our citizens to join with the sportsmen-conservationists



in a rededication to the wise use of our natural resources and their proper management for the benefit of future generations. Further, the Commission urges all citizens to take part in National Hunting and Fishing Day activities on September 22, 1979, to learn more about conservation and outdoor skills.

MR. HERRING: Thank you, Mr. Chairman. The third item I have on the agenda is ratifying the teal, dove, rails, gallinules, snipe and woodcock season as we set at the June meeting. As you will recall, we went ahead and set them, provided that these did go along with the federal framework as sent in. We do have the federal framework and guidelines and it does comply with what we have set on those seasons, so since we have given all the seasons at the June meeting and also copies have been provided earlier to the press, and we can provide additional copies now to them on the seasons, I would recommend to the Commission then that we ratify all the seasons as



far as the migratory species with the exception of waterfowl as set at our June meeting.

THE CHAIRMAN: O. K., you have the recommendation.

MR. LUTTRELL: I so move.

MR. FARRELLY: I will second that.

THE CHAIRMAN: Moved by Mr. Luttrell, seconded by Mr. Farrelly. All in favor say aye.

IN UNISON: Aye.

THE CHAIRMAN: Opposed?

(No response)

Motion carried.

MR. HERRING: Thank you, Mr. Chairman.

THE CHAIRMAN: Thank you. O. K., the only other thing we have on the agenda is other business. Is there anybody that wants to bring anything up as far as other business?

MR. FARRELLY: Yes, I have a request that I would like to make. I think a request is sufficient. I don't think we need a motion or anything.

I would like that when we get our informal agenda, if we could get some supplemental



information along with the informal agenda, such as, in the case of Allen -- this is not any criticism of anybody; it is just if we could get some more information, like in Allen's case if we could have gotten a copy of the alligator regulations that he was going to propose, if we could get that a week ahead of time so we could possibly look it over and see if the people we are representing might have a question concerning that. The same thing with pipelines, the various items that we get on the informal agenda, if we could get some additional backup information so we could review this before we come to our Monday meeting and present questions at that meeting.

I don't know whether that needs to be put in the form of a motion. I think a request should be sufficient. Does this create a problem for you all?

MR. ENSMINGER: I can't visualize it creating a problem for anyone in the Department. Normally we know three or four weeks in advance of the board meeting what we have on the agenda. Pie solicits the individual chiefs and asks them



what they have for the agenda. Unless it is something that just comes up at the last minute, you know, but even that material, Jim, could be circulated to you. For instance, like the pipeline, I had the letter that we received from Shell last Thursday. That could have had a copy made and circulated to the Board members. I think that Pie could probably put this stuff together for you.

MR. FARRELLY: The same thing with, you know, like Harry, if he could have sent us something on Black Bay.

MR. ENSMINGER: The alligator regulations we couldn't because Marguerite was typing them walking down the hall to the Board meeting.

THE CHAIRMAN: We understand that there are some that won't be available. Jim, I think that is a very good suggestion. I think that it would just make the Commission members a little more knowledgeable of what is going on on the agenda when they get in the informal meeting. They have had a little chance on their way down here to look over the pertinent information that goes with different recommendations. I think it would be an



excellent idea and there is no need of putting it in a motion. I think the administrative people will handle it very capably.

Is there anyone who hasn't been heard who would like to say something to the Commission? Mr. Riggs.

MR. RIGGS: I would also like to agree with Mr. Farrelly's request because the Board could be much better informed when it comes to the meetings on various issues coming before them, so I would just like to say I agree with that.

I would like to commend Mr. Allen Ensminger for a wonderful presentation on the alligator problem, and I was just wondering if it might possibly be in order for this Commission to pass a resolution and send it to the legislative delegation and also to the head of the Department of the Interior, pointing out to them the possible results of the alligator hide not being able to be sold on the international trade. I think it would be a disaster for the alligator if they don't act on it. I was just wondering if possibly a resolution by the Commission shouldn't be in



order.

THE CHAIRMAN: What do you think, Allen?

MR. ENSMINGER: Certainly this should be done. As I mentioned there, the U. S. Fish & Wildlife Service is in the Federal Register with a different set of proposed regulations. I think the resolution should address itself specifically to the fact that here you have been presented two totally different sets of regulations by two different groups in Washington who have the veto power over state wildlife management programs and that you are not happy with this kind of foolishness.

It is very confusing, even to administrators like us who have been involved in these federal programs for most of our professional life, to see this squabble and inner conflict that has developed in a power struggle at the Washington level. As Mr. Riggs has pointed out, it is very, very critical that an orderly process by which the legally taken skins can be put into commerce and, as Dave Hall says, certainly we are going to have people that get confused and put the tag on the alligator's nose instead of his tail, and someone



is going to come along and say, "See, we told you the program wouldn't work." But you know, an objectionist can always find something wrong and a person that is broadminded and moving forward is bound to make some mistakes at some point.

I have had my head skinned several times. That may be why I am kind of baldheaded, but I never have been accused of not being aggressive and not trying to carry on a program. I think certainly anything that you gentlemen can do to --

THE CHAIRMAN: Let's have the Board and Allen prepare a resolution and we will adopt it as of now. Right after the meeting we can get together and prepare a resolution, if you would like, and cover the things you want. I think you are absolutely correct. The people that are writing regulations who have never seen an alligator other than in a book just have no business writing regulations on the thing. If they want to do some on-the-job training we will be glad to ship them 10,000 alligators to Washington and put them out by the monument and let them train on them.

MR. ENSMINGER: The last time a Board



member made that comment, we ended up having to catch about 2,000 and ship them out.

THE CHAIRMAN: That was me, too, that made that comment.

MR. ENSMINGER: An additional thing I would like to see you gentlemen include in your resolution is a request as to why they have not responded to your former request to remove a substantial number of those surplus animals off the Sabine National Wildlife Refuge in Cameron Parish. This is a 130,000-acre tract of land that is situated in the heart of that marsh over there. The surrounding landowners have harvested alligators there all of this decade and to no great avail, because it is just an incubator for 'gators to move over onto their marshes as they are overpopulated on the refuge.

They have made numerous harvest of small 'gators off there for restocking, and certainly we have participated in this and have appreciated the availability of these small 'gators, but they do have a tremendous number of large 'gators on the refuge that certainly could be



harvested and put into trade without disrupting the management program, and certainly the Fish & Wildlife Service history doesn't prohibit alligator hunting. They carried on a season on the Sabine Refuge after we had closed the state season, but we don't like to tell them that in public too often.

THE CHAIRMAN: O. K., fine, let's include that in there and let's make it in the form of a motion, and then if you can get it prepared as soon as you can after the meeting, then the lady can get it included into our meeting minutes.

MR. LUTTRELL: Mr. Chairman, I would --

THE CHAIRMAN: I think Mr. Riggs has the floor.

MR. RIGGS: Rather than rush this thing, my thoughts were possibly preparing this resolution for adoption at the August meeting, which would give considerable more time to prepare it. It starts in September, but --

THE CHAIRMAN: We could prepare it and get it in this meeting. We can go ahead and make the motion now, and then get it to Washington. It



is going to take them thirty days to look at it.

MR. LUTTRELL: Don, my idea was this, that we pass a resolution --

MR. RIGGS: I would like to point out in the resolution that we furnished several important ingredients that were instrumental in bringing the alligator back, one of them being monetary, secondly, the enforcement, and third, the courts, the prosecutions, and last but not least, the cooperation of the landowners, and I would like to point out that these were four necessary things in order to bring back the alligator.

THE CHAIRMAN: O. K., you are going to be included in there in making the resolution, Charles. What we are doing right now is to make a motion for the resolution and we all get together after the meeting and make the resolution. Is that all right with the Commission?

MR. LUTTRELL: Correct.

THE CHAIRMAN: O. K., I think Mr. Riggs should make the motion.

MR. RIGGS: I will make a motion that we send such a resolution.



THE CHAIRMAN: O. K., Mr. Riggs has made the motion we send a resolution. Do I have a second?

MR. LUTTRELL: I second, Mr. Chairman.

THE CHAIRMAN: O. K., seconded by Mr. Luttrell. All in favor say aye.

IN UNISON: Aye.

THE CHAIRMAN: Any dissenting votes?

(No response)

The motion passes. We will have a resolution. Allen, we will get together with you right after the meeting and we will get the resolution together. If the news media would like to pick up a copy, we will have it for you just as soon as we can.

(The full text of the
aforementioned resolution
is here made a part of
the record.)

WHEREAS, the Louisiana Wildlife and Fisheries Commission has been involved in the active restoration of the American alligator population in



our state for more than two decades; and

WHEREAS, these programs have involved extensive research, law enforcement and public relations programs, including excellent cooperation of the courts; and

WHEREAS, these programs have been very successful and attracted international and national attention; and

WHEREAS, other states and foreign countries have utilized information obtained from the research and enforcement efforts; and

WHEREAS, the U. S. Fish and Wildlife Service has advertised in the Federal Register a set of proposed regulations which are substantially different from the regulations proposed by the Endangered Species Scientific Authority; and

WHEREAS, these different regulations are quite confusing to wildlife department administrators



and the public; and

WHEREAS, many of the features contained in the two sets of regulations proposed would severely limit or prohibit orderly international trade in this valuable renewable national resource; and

WHEREAS, the private landowners in our state realize a substantial source of income from the harvest of furbearing animals and alligators, and this has created a direct conflict to the economic income to the trapper and landowner; and

WHEREAS, the State of Louisiana is geographically located in an area where outdoor recreation is an important economic and social resource; and

WHEREAS, the increasing number of alligator and human contacts have created imminent threats to the recreational resources; and

WHEREAS, we feel that the



regulatory requirement of the Endangered Species Act of 1973 and the regulations of state laws are sufficient to provide ample protection to the American alligator population and international trade would not pose a threat to the population; and

WHEREAS, unless reasonable regulations are allowed by the U. S. Fish and Wildlife Service, the entire alligator management program of the southeastern United States will be in jeopardy;

NOW THEREFORE BE IT RESOLVED that the Louisiana Wildlife and Fisheries Commission does hereby request that the U. S. Fish and Wildlife Service proceed with the orderly adoption of regulations which would permit the export of American alligator skins to foreign countries under reasonable requirements and clarify to the public



your department's interest in the wise management and utilization of this abundant resource; and

BE IT FURTHER RESOLVED that these regulations be finalized at the earliest possible date following the end of the present advertisement; and

BE IT FURTHER RESOLVED that a copy of this resolution be sent to the Secretary of the Department of the Interior, the Director of the U. S. Fish and Wildlife Service, and to the members of the Louisiana Congressional Delegation.

THE CHAIRMAN: The next Wildlife and Fisheries Commission meeting will be the 27th and 28th. Allen, if you will inform the Commission members by phone or by mail about this meeting in Houma, we will be happy to get as many Commission members as we can down there.

Mr. Duffy, our attorney, is here today. Do you have anything for the Commission this morning, Peter?



MR. PETER DUFFY: Yes, the only thing I do have, Mr. Chairman, is that sometime ago the Commission through its administrator under the Scenic Rivers Act denied an application to Bossier Parish to have a water supply out of Dorcheat Bayou. The record is now complete and I just wanted to officially notify the Commission that I am formally filing with the Commission the appeal that had been taken from it.

THE CHAIRMAN: When are we supposed to take action on this, Peter?

MR. DUFFY: Tentatively in talking with Mr. Angelle we thought that maybe the September meeting would be ample time for the people that are interested to supply briefs to the Commission under the rules as previously adopted. I am going to speak with Mr. Henry Brown, who is the District Attorney up in Bossier Parish, to see if that period of time is sufficient for him. He doesn't know yet that the record has been formally completed and is going to be filed.

THE CHAIRMAN: Now the Commission makes a decision on this?



MR. DUFFY: Yes, it reviews the action of the administrator.

THE CHAIRMAN: They are going to need notice since they may want to have people down here?

MR. DUFFY: Well, actually, as far as the rules provide, it is going to be written on brief and an oral presentation. That is what was followed in the only other administrative hearing that we have had on appeal.

THE CHAIRMAN: There may be some witnesses that may want to come down and testify at that time. Can they do that on appeal?

MR. DUFFY: Not on appeal. It has to be strictly from the record that has been made at the public hearing and any briefs that interested parties might want to submit.

THE CHAIRMAN: Peter, can I have a copy of that before I leave? That is right directly in my parish and I would like to find out what --

MR. DUFFY: A copy of the rules?

THE CHAIRMAN: Yes. Can you mail them to me?



MR. DUFFY: Yes, I will get them to you.

THE CHAIRMAN: Yes, I would appreciate it.

All right, did I say we have the 27th and 28th for our next formal meeting?

MR. LUTTRELL: Yes.

THE CHAIRMAN: All right, if there is no other business to come before this Commission, we have one thing that Captain Pete brought in here that I have given copies to all the Commission members. Pete, we will meet with you on the next informal meeting down here and discuss this. Is that all right?

MR. VUJNOVICH: I will be there.

THE CHAIRMAN: All right, fine. Thank you, ladies and gentlemen, for your endurance. If no one has anything else, this Commission stands officially adjourned.

(Whereupon, at 11:10 o'clock
a.m., Tuesday July 24, 1979,
the meeting was adjourned.)

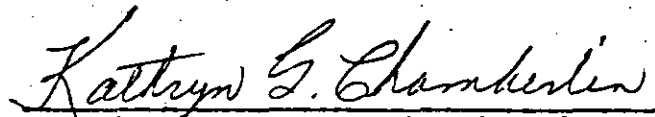
Kathryn G. Chamberlin,
Reporter.



C E R T I F I C A T E

I, the undersigned reporter, DO HEREBY CERTIFY that the above and foregoing (87 pages of typewritten matter) is a true and correct transcription of the tape recording and of the stenographic notes of the proceedings herein, transcribed by me, at the time and place hereinbefore noted.

New Orleans, Louisiana, this 22nd day of August, 1979.


Kathryn G. Chamberlin,
Reporter.

